IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS **GALVESTON DIVISION**

KIRBY INLAND MARINE, LP	§	
Plaintiff,	§ §	
	% & & & & & & & & & & & & & & & & & & &	
v.	§	No. 3:19-cv-00207
EDC CHIDIOLDING DANIAMA 47 C A	8	
FPG SHIPHOLDING PANAMA 47 S.A.,		
K LINE ENERGY SHIP MANAGEMENT,	8	
and the VLGC GENESIS RIVER, in rem	% % % % %	
	§	
Defendants.	8	

IN THE MATTER OF KIRBY INLAND) §	
MARINE, LP, in a cause of exoneration from	ı §	Dula O(h) Adminaltu
or limitation of liability	§	Rule 9(h) Admiralty

Consolidated with		
IN THE MATTER OF THE COMPLAINT	§	
OF FPG SHIPHOLDING PANAMA 47	§	
S.A. SHIP NO. 138 CO. LTD., ET AL,		Rule 9(h) – Admiralty
in a cause for exoneration from	8	· · · · · · · · · · · · · · · · · · ·
or limitation of liability	§ § §	

KIRBY INLAND MARINE, LP'S DISCLOSURE OF RESPONSIVE EXPERT TESTIMONY PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)(2)(B)

Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B) and the Court's Scheduling Order, Kirby Inland Marine, LP ("Kirby") submits the following expert disclosures in response to other parties' identification of experts and production of expert reports:

Responsive Experts

Steven J. Cunningham Independent Maritime Consulting, LLC 700 Louisiana Street, Suite 3950 Houston, Texas 77002 (281) 480-4260

Captain Cunningham is a Master Mariner and marine surveyor who will provide expert testimony on matters related to the collision. Captain Cunningham's opinions, including the bases and reasons for his opinions, are set forth in his report, which, along with his curriculum vitae, case/publications list, and fee schedule were previously produced to counsel for all parties with Kirby's designation of experts. Captain Cunningham's responsive report is now being produced to counsel for all parties.

Captain John R. Sutton P.O. Box 111 Fairfield, KY 40020

Captain John Sutton is an inland towing vessel pilot. He may offer expert testimony as to the navigation and operation of the M/V VOYAGER, the competency of the VOYAGER's crew, and Kirby's training programs. Captain Sutton's opinions, including the bases and reasons for his opinions, are set forth in his report, which includes his rates and case/publications list. His report and curriculum vitae are being produced to counsel for all parties.

Non-Retained Experts

Kirby reserves the right to elicit, by way of direct or cross-examination, testimony from those individuals identified as experts by other parties to these proceedings. Kirby also reserves the right to elicit opinion testimony from lay witnesses as permitted by Fed. R. Evid. 701. Kirby also reserves the right to call undesignated rebuttal or impeachment expert witnesses whose testimony cannot be reasonably foreseen until the presentation of the evidence.

Respectfully submitted,

SHIPLEY SNELL MONTGOMERY LLP

By: /s/ George T. Shipley

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CERTIFICATE OF SERVICE

I hereby certify that on this the 28th day of September, 2020, a true and correct copy of this document was served on all counsel of record via e-serve, email, facsimile, first class mail and/or otherwise.

/s/ Misha J. Paltiyevich

Misha J. Paltiyevich